Convention on Cluster Munitions

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Review of the status and operation of the Convention
and other matters important for achieving the aims of the Convention
Selection Process for future Presidencies of the Convention

Establishment of a Process for the Selection of the Presidency of the Convention on Cluster Munitions

Submitted by Germany

1. The Presidency of the Convention on Cluster Munitions (CCM) plays a central role in the functioning of the Convention. It presides over the Meeting of States Parties, the central decision-making body of the Convention and assures the continuity of the implementation process by providing political guidance during the intersessional period, e.g. by chairing the regular meetings of the coordination committee.

2. The election and succession of Presidencies is not regulated in the text of Convention itself. However, the CCM's internal guidelines stipulate that the Presidents be chosen according to a procedure that takes into consideration the regional balance and an alternation of affected and non-affected states. There has also been general agreement on the need to determine two consecutive Presidencies at a time in order to avoid last minute decisions with a possible disruption of working processes.

3. In keeping with the Convention's overall objectives, its spirit of cooperation and burden sharing, it can be assumed that all States Parties are, in principle, willing to take on the tasks of the Presidency. In order to facilitate such an endeavour, the internal rules of the CCM stipulate that a Presidency is being supported in both technical and administrative matters by the Implementation Support Unit (ISU).

4. The identification of suitable candidates and the election process itself has not yet been specified in the Convention's internal rules. This has so far led to an ad hoc way of approaching eligible candidates by incumbent Presidencies leaving the burden of determining eligible candidates in their sole responsibility. The lack of procedural guidelines, time delays arising from the transition of office and a certain reluctance of some member States to assume the responsibilities of the Presidency have made this process even more difficult. This has often resulted in last minute decisions entailing unpredictability and even confusion. In addition, as there are no clear rules in case there are no candidates for succession of an incumbent Presidency, this opens for the possibility of the CCM having no leadership at all, a scenario for which there are no obvious contingencies.

5. The identification process for suitable candidates should thus be strengthened to ensure continuity of the functioning of the Convention, to encourage improved uptake of this important leadership role and to ensure greater ownership of the issue by States Parties. The following two options for action should be considered at the Eighth Meeting of States Parties (8MSP) to make this process both practical and more inclusive:

(a) Through a decision at 8MSP, States Parties should recognise and reiterate the desirability of geographical rotation of presidencies for future MSPs, including Review Conferences. In particular, States Parties from regions that have been under-represented to date should be encouraged to give active consideration to taking on the role of President. Through a decision at 8MSP, the President, with the support of the Secretariat and the Coordination Committee, should be encouraged to focus his or her consultations with prospective candidates to facilitate geographical rotation.

(b) Presidencies should be chosen according to a fixed rotational scheme between regional groups (Africa, Americas, Asia-Pacific, and Europe, according to an alphabetical order) yet to be established for this purpose. This implies that ad hoc regional groups should make recommendations for a respective candidate before an MSP and present that candidate during a dedicated agenda item during the MSP. Active candidacies brought forward outside of the regular scheme can be considered by the MSP if there is consensus among regional groups.

General Considerations

- Notwithstanding the option chosen the election of Presidencies should remain an active procedure embedded in the annual MSP agenda as a dedicated agenda item as well as an item on the regular meetings of the Coordination Committee.
- The 8MSP in 2018 needs to elect the President for the 9MSP according to the previous procedure due to lack of time. However, the 8MSP would then also select a candidate for the 2020 Review Conference which will replace the annual MSP. This candidate for the Presidency would then only have to be reconfirmed at the 9MSP in 2019. At the same time the 9MSP will select a candidate for the regular 10MSP in 2021.
- The following Presidencies should be gradually phased into their work by taking on tasks and responsibilities in close consultation with the incumbent Presidency, e.g. by co-chairing events with the Presidency and substituting the Presidency in case of unexpected absences.

6. States Parties are also encouraged to duly consider gender aspects when bringing forward candidacies with the aim of having a balanced gender representation of the CCM over time.

Overview on the role of the CCM Presidency

7. Preside over the intersessional programme of the Convention on Cluster Munitions (CCM) i.e. from the last day of meeting at which presidency is assumed to last day of following Meeting of States Parties (MSP) which are normally held in the first week of September for three days. The CCM ISU provides technical and administrative support to the Presidency and Coordination Committee.

8. Prepare and preside over the Meeting of States Parties/Review Conference - in collaboration with the Coordination Committee, the United Nations Office for Disarmament Affairs (UNODA) and the Implementation Support Unit. Draft daily scripts are provided by the UNODA in collaboration with the ISU. Geneva is the default location of CCM MSPs but the Presidency can choose to host it in its country.

9. Chair meetings of the Coordination Committee as necessary - usually once a month. The ISU prepares the Agenda and drafts the Minutes in consultation with the President.

10. Coordinate the activities of the members of the Coordination Committee (14 States) and report back at the annual MSP at which she/he presides.

11. Lead the implementation of any decisions taken by States Parties and report back to them within the stipulated timeframe.

12. Issue public statements as necessary on behalf of the Convention's community to promote the objectives of the CCM and to strengthen the norm against use of cluster munitions.

13. Promote implementation and universalization of the Convention through various activities; including delivering CCM related statements at appropriate fora.

14. Spearhead the search for the following two Presidents taking into consideration regional balance.

15. Lead efforts to ensure that sufficient resources are available to fund the operations of the Implementation Support Unit.

Note:

All activities are conducted with the direct technical support and advice of the ISU as stipulated in its mandate. The core mandate of the ISU is to provide the necessary substantive support and advice to the president and coordination committee to ensure the CCM is on track with its implementation objectives.